

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TERRANCE DAVIS,

Plaintiff

Case No. 3:24-cv-00229-MMD-CSD

ORDER

v.

TASHEENA COOKE, et al.,

Defendants

On June 4, 2024, pro se plaintiff Terrance Davis, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. (ECF No. 1-1). But Plaintiff has neither paid the full \$405 filing fee for this matter nor filed an application to proceed *in forma pauperis*. (See ECF No. 1). And although Plaintiff submitted a financial certificate and an inmate trust fund account statement, the Court cannot consider those documents because they are based on outdated information. (See ECF No. 2).

This Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2. *In forma pauperis* status

1 does not relieve an inmate of his or her obligation to pay the filing fee, it just means that
2 the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

3 It is therefore ordered that Plaintiff has **until August 13, 2024**, to either pay the full
4 \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all
5 three required documents: (1) a completed application with the inmate's two signatures
6 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
7 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the
8 previous six-month period.

9 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
10 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
11 to refile the case with the Court, under a new case number, when Plaintiff can file a
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

13 The Clerk of the Court is directed to send Plaintiff Terrance Davis the approved
14 form application to proceed *in forma pauperis* for an inmate and instructions for the same,
15 and to retain the complaint (ECF No. 1-1) but not file it at this time.

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17 DATED THIS 14th day of June 2024.

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UNITED STATES MAGISTRATE JUDGE
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